mind to see between the revenue officer acting and the ordinary citizen who has to submit to the act, if he has got any complaint. We do not want the department itself to judge it. Because, however justly the department may decide, however justly the Tahsildar may decide, however justly the Diwas Peishkar may decide, we can turn down and say you are helping your subordinates. We do not want such a statement to be made against the Department. We want a judicial officer to decide, to administer justice between A, B, C and D, and his decision is to be taken. There is a very great principle involved in this matter; justice should be done and it must appear also to be so done and that quickly. But we do not want that a prejudicial statement to be made, and this should be avoided. Therefore, any inroad, however small it may be, upon the system of the separation of the executive from the judiciary, must be avoided. That status that we have attained in the State is so sacrosanct, that we should never make an inroad into that. That is the only objection. Otherwise, it does not matter at all. I would therefore advise the Government that they should prevent the possibility of such things happening

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: Sir, I do not mean to oppose the motion for adjournment, if there is the slightest doubt that it is an encroachment upon the rights of the public. My object is to see that wherever it is necessary the Magistrates's powers may be taken and given to revenue officers. If necessary, we shall have an adjournment. As the Hon'ble Member for Kunnamkulam said, there is the general law that whenever a man's property is seized unlawfully, he can complain to the Magistrate.

Mr. A. B. Salem *(Mattahcheri)*: Wherever there is a Tahsildar in a Taluk, we have got a Magistrate also. The Tahsildars cannot camp in villages often.

Mr. C. V. Iyyu *(Kunnamkulam)*: Tahsildars go to the villages more often than Magistrates. The ryot gets easier justice and speedier method of compensation from a Tahsildar. Of course, by that, I do not mean that the right of appeal of a citizen from the order of the Tahsildar should be taken away.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: If both the provisions have to be retained, we shall have to consider more details.

Mr. M. Sivarama Menon *(Advocate-General)*: To make the position clear, may I take it that it is the sense of the House that both the methods may be left open to the people, *i.e.*, to make a complaint either to the Magistrate or to a Tahsildar.

Mr. V. K. Bhaskara Menon *(Cranganur)*: No. It is not.

Mr. C. V. Iyyu *(Kunnamkulam)*: It is my view.

Mr. V. K. Bhaskara Menon *(Cranganur)*: It is the view of the Hon'ble Member for Kunnamkulam, and not our view.

Mr. President: The third reading of this Bill will be adjourned.

The Cochin Anchal Bill

Mr. B. V. K. Menon *(Joint Secretary to Government)*: Sir, I move that the Cochin Anchal Bill be taken up and finally passed.

Mr. M. Sivarama Menon *(Advocate-General)*: Sir, I second it.

Motion put and carried

The Cochin Municipal Act (Amendment) Bill

Mr. C. J. Mathew *(Joint Secretary to Government)*: Sir, I move that the Cochin Municipal Act Amendment Bill be taken up and finally passed.

Mr. M. Sivarama Menon *(Advocate-General)*: Sir, I second it.

Motion put and carried

Motion regarding Food Control measures

Mr. President: At the time when the discussion on the motion on food control measures was adjourned, my recollection is that the Government had been asked for certain information and I think perhaps it would facilitate the continuance of the discussion if we get the information that they have now.

Mr. C. J. Mathew *(Joint Secretary to Government)*: Sir, relating to the activities of the Excise Department in regard to the food control orders, I have the following information to place before the House.

About 580 cases were detected by the Excise Department in 1118 and about 104 in the current year. The cases detected have been entrusted to the Police with the articles seized. The maximum quantity of smuggled articles detected is.....

LIBRARY ARCHIVES Kerala Legislative Assembly